

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

United States of America, *ex rel.*
Charles R. Shepherd and Danny V. Rude

Plaintiffs,

v.

Fluor Corporation, Inc.,
Fluor Intercontinental, Inc., and
Kellogg, Brown, & Root, Inc.,

Defendants.

CA No.: 6:13-cv-02428-TMC

**FILED EX PARTE
AND UNDER SEAL**

**The Government's Notice of Election to
Decline Intervention against All Defendants**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action. Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States; providing, however, that “the action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action, including supporting memoranda, be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States

reserves its right to order any deposition transcripts. The United States may move to intervene in this action at a later date for good cause. 31 U.S.C. § 3730(c)(3).

Finally, the Government requests that pleadings in the case be unsealed, with the exception of the following docket numbers: Dkt. Nos. 9, 14, 19, 23, 25, 28, 33, 36, 39, 43, 45, 50, and 54.

Respectfully submitted,

SHERRI A. LYDON
United States Attorney
District of South Carolina

By: s/ BETH C. WARREN
ELIZABETH C. WARREN (#11360)
STAN RAGSDALE (#3197)
Assistant United States Attorneys
1441 Main Street, Suite 500
Columbia, S.C. 29201
Telephone: (803) 929-3037

MICHAEL D. GRANSTON
ROBERT McAULIFFE
LINDA MCMAHON
ART J. COULTER

Attorneys, Civil Division
Commercial Litigation Branch
Post Office Box 261
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-0237

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Attorneys for the United States of America